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8 Attorneys for DEFENDANT
 9 SIMM ASSOCIATES, INC.

E-filing

APR 23 2007
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

RS

10
 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 RAMONA PATRICIA CARDON,

14 Plaintiff,

15 v.

16 SIMM ASSOCIATES, INC. a Delaware
 17 corporation, and DEFENDANT DOES 1 through
 18 10,

19 Defendants.

CV 08

Case No.:
 Santa Clara County Case No.: 108CV106682

2130

NOTICE OF REMOVAL OF ACTION
 UNDER 28 USC § 1441(b) (FEDERAL
 QUESTION)

BY FAX

20 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

21 PLEASE TAKE NOTICE that defendant SIMM ASSOCIATES, INC., hereby removes to this Court
 22 the state court limited civil action described below:

23 1. On February 25, 2008, an action was commenced in the Superior Court of State of
 24 California, County of Santa Clara, entitled RAMONA PATRICIA CARDON, Plaintiff, v. SIMM
 25 ASSOCIATES, INC., et al., as case number 108CV106682

26 2. On March 24, 2008, SIMM ASSOCIATES, INC., received the Summons and
 27 Complaint, attached hereto as **Exhibit A**.

28 3. This Court has jurisdiction to hear this case because this action is a civil action of which
 29 this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this
 30 Court by defendant pursuant to the provisions of 28 U.S.C. § 1441(b) in that it arises under the federal

Fair Debt Collection Practices Act (15 U.S.C. § 1692, *et seq.*). (See, Exhibit A: Complaint, ¶¶6, 7, 18, 23, 24, Prayer for Relief ¶¶ d-e.)

4. SIMM ASSOCIATES, INC. is the only named defendant and submits the removal of this action.

Dated: April 23, 2008

ELLIS, COLEMAN, POIRIER, LAVOIE, & STEINHEIMER LLP

By Kimberly E. Lewellen
Kimberly E. Lewellen
Attorney for
SIMM ASSOCIATES, INC.

CERTIFICATE OF SERVICE

I, Alexandria Felix, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 555 University Avenue, Suite 200 East, Sacramento, CA 95825.

On April 23, 2008, I served the following document(s) on the parties in the within action:

NOTICE OF REMOVAL OF ACTION UNDER 28 USC § 1441(b) (FEDERAL QUESTION)

- | | |
|----|---|
| | VIA ELECTRONIC SERVICE: The above-described document(s) will be delivered electronically through the Court's ECF/PACER electronic filing system, as stipulated by all parties to constitute personal service, to the following: |
| 8 | |
| 9 | |
| 10 | BY MAIL: I am familiar with the business practice for collection and processing of mail. |
| 11 | The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at Sacramento, CA on this date, addressed as follows: |
| 12 | |
| 13 | BY HAND: The above-described document(s) will be placed in a sealed envelope which will be hand-delivered on this same date by _____, addressed as follows: |
| 14 | |
| 15 | VIA FACSIMILE: The above-described document(s) was transmitted via facsimile from the fax number shown on the attached facsimile report, at the time shown on the attached facsimile report, and the attached facsimile report reported no error in transmission and was properly issued from the transmitting facsimile machine, and a copy of same was mailed, on this same date to the following: |
| 16 | |
| 17 | VIA OVERNIGHT SERVICE: The above-described document(s) will be delivered by overnight service, to the following: |

Fred W. Schwinn
Consumer Law Center, Inc.
12 South First Street
Suite 1014
San Jose, CA 95113-2404

Attorneys for
PLAINTIFF RAMONA PATRICA CARDON

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on April 23, 2008.

By. Alexandria Felix

1 Fred W. Schwinn (SBN 225575)
2 CONSUMER LAW CENTER, INC.
3 12 South First Street, Suite 1014
4 San Jose, California 95113-2418
5 Telephone Number: (408) 294-6100
6 Facsimile Number: (408) 294-6190
7 Email Address: fred.schwinn@sjconsumerlaw.com

ENDORSED

2008 FEB 25 P 3 14

RECEIVED
CLERK'S OFFICE, SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA
A. Haas
FEB 25 2008

5 Attorney for Plaintiff
6 RAMONA PATRICIA CARDON
7
8

SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF SANTA CLARA

108 CV 106682

10 RAMONA PATRICIA CARDON,

Case No. _____

11 Plaintiff,

LIMITED CIVIL CASE
Amount demanded does
not exceed \$10,000

12 v.

13 SIMM ASSOCIATES, INC., a Delaware
14 corporation, and DEFENDANT DOES 1
through 10,

COMPLAINT

California Civil Code § 1812.700, *et seq.*
California Civil Code § 1788, *et seq.*

15 Defendants.

16

17

18 Plaintiff, RAMONA PATRICIA CARDON (hereinafter "Plaintiff"), based on
19 information and belief and investigation of counsel, except for those allegations which pertain to the
20 named Plaintiff or her attorneys (which are alleged on personal knowledge), hereby makes the
21 following allegations:

22 INTRODUCTION

23 1. This Complaint seeks to remedy Defendants' violations of the Rosenthal Fair
24 Debt Collection Practices Act, California Civil Code § 1788, *et seq.* (hereinafter "RFDCPA"), which
25 prohibits debt collectors from engaging in abusive, deceptive and unfair practices.

26 JURISDICTION AND VENUE

27 2. The Court has jurisdiction over this action pursuant to California Civil Code
28 § 1788.30(f), which allows enforcement in any court of competent jurisdiction. The California

1 Superior Court has jurisdiction over this action pursuant to California Constitution Article VI, § 10,
2 which grants the Superior Court “original jurisdiction in all cases except those given by statute to
3 other trial courts.” The statutes under which this action is brought do not grant jurisdiction on any
4 other trial court in California.

5 3. This Court has jurisdiction over each Defendant named herein because, based
6 on information and belief, each defendant is a corporation or association authorized to do business
7 in California and registered with the California Secretary of State, or does sufficient business, has
8 sufficient minimum contacts in California, is a citizen of California, or otherwise intentionally avails
9 itself of the California market through the promotion, sale, marketing and/or distribution of goods
10 and services in California and thereby having such other contacts with California so as to render the
11 exercise of jurisdiction over it by the California courts consistent with traditional notions of fair play
12 and substantial justice.

13 4. Venue is proper in the Santa Clara Superior Court pursuant to California Code
14 of Civil Procedure (“C.C.P.”) §§ 393 and 395.5, because one or more of the violations alleged in this
15 Complaint arise in the County of Santa Clara.

PARTIES

17 5. Plaintiff, RAMONA PATRICIA CARDON, is a natural person residing in
18 Santa Clara County. Plaintiff is a "debtor" within the meaning of Civil Code § 1788.2(h).

19 6. Defendant, SIMM ASSOCIATES, INC. (hereinafter "SIMM"), is a Delaware
20 corporation engaged in the business of collecting debts in this state with its principal place of
21 business located at: 800 Pencader Drive, Newark, Delaware 19702-3354. SIMM may be served as
22 follows: Simm Associates, Inc., c/o Gregory Simendinger, 800 Pencader Drive, Newark, Delaware
23 19702-3354. The principal purpose of SIMM is the collection of debts using the mails and
24 telephone, and SIMM regularly attempts to collect debts alleged to be due another. SIMM is a "debt
25 collector" within the meaning of Civil Code § 1788.2(c). SIMM is a third-party debt collector
26 subject to the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq.

27 7. The true names and capacities, whether individual, corporate, associate,
28 governmental, or otherwise, of Defendants, DOES 1 through 10, are unknown to Plaintiff at this

1 time, who therefore sues said Defendants by such fictitious names. When the true names and
 2 capacities of said Defendants have been ascertained, Plaintiff will amend this Complaint accordingly.
 3 Plaintiff is informed and believes, and thereon alleges, that each Defendant designated herein as a
 4 DOE is responsible, negligently or in some other actionable manner, for the events and happenings
 5 hereinafter referred to, and caused damages thereby to the Plaintiff, as hereinafter alleged.
 6 Defendant, DOES 1-10, are, and each of them is, a "debt collector" within the meaning of Civil Code
 7 § 1788.2(c). Defendant, DOES 1-10, are, and each of them is, a third-party debt collector subject
 8 to the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*

9 8. At all times herein mentioned, each of the Defendants was the agent, servant,
 10 employee and/or joint venturer of his co-defendants, and each of them, and at all said times, each
 11 Defendant was acting in the full course and scope of said agency, service, employment and/or joint
 12 venture. Any reference hereafter to "Defendants" without further qualification is meant by Plaintiff
 13 to refer to each Defendant, and all of them, named above.

FACTUAL ALLEGATIONS

15 9. On a date or dates unknown to Plaintiff, Plaintiff is alleged to have incurred
 16 a financial obligation, namely a consumer credit account issued by Merrick Bank, (hereinafter "the
 17 alleged debt"). The alleged debt was primarily incurred for personal, family or household purposes
 18 and is therefore a "consumer debt" as that term is defined by Cal. Civil Code § 1788.2(f).

19 10. Sometime thereafter on a date unknown to Plaintiff, the alleged debt was
 20 consigned, placed or otherwise transferred to Defendants for collection from Plaintiff.

21 11. On or about July 18, 2007, Defendants sent a collection letter to Plaintiff
 22 which was Defendants' first written notice initially addressed to Plaintiff in connection with
 23 collecting the debt.

24 12. A true and accurate copy of the July 18, 2007 collection letter from
 25 Defendants to Plaintiff is attached hereto, marked Exhibit "1," and by this reference is incorporated
 26 herein.

27 13. The collection letter (Exhibit "1") does not include the notice required by Cal.
 28 Civil Code § 1812.700(a).

FIRST CAUSE OF ACTION

2 (Violation of the Rosenthal Fair Debt Collection Practices Act, Civil Code § 1788 *et seq.*)

3 14. Plaintiff brings the first cause of action against Defendants under the
4 California Rosenthal Fair Debt Collection Practices Act (“RFDCPA”), California Civil Code §§
5 1788-1788.33 and §§ 1812.700-1812.702.

6 15. Plaintiff repeats, realleges and incorporates by reference paragraphs 1 through
7 13 above.

8 16. Plaintiff is a "debtor" as that term is defined by the RFDCPA, Cal. Civil Code
9 § 1788.2(h).

17. Defendant, SIMM, is a "debt collector" as that term is defined by the
RFDCPA, Cal. Civil Code § 1788.2(c).

12 18. Defendant, SIMM is a third-party debt collector subject to the federal Fair
13 Debt Collection Practices Act, 15 U.S.C. § 1692 et seq.

14 19. The financial obligation allegedly owed to Merrick Bank by Plaintiff is a
15 "consumer debt" as that term is defined by the RFDCPA, Cal. Civil Code § 1788.2(f).

16 20. The collection letter (Exhibit "1") described above violates the RFDCPA. The
17 violations include, but are not limited to, the following:

18 a. Defendants failed to include the notice required by Cal. Civil Code §
19 1812.700(a) in their first written notice to Plaintiff, in violation of
20 Cal. Civil Code § 1788 *et seq.*, as incorporated by Cal. Civil Code §
21 1812.702.

21. Defendants' acts as described above were done willfully and knowingly with
22 the purpose of coercing Plaintiff to pay the alleged debt, within the meaning of Cal. Civil Code §
23 1788.30(b).

25 22. As a result of Defendants' willful and knowing violations of the RFDCPA,
26 Plaintiff is entitled to an award of a statutory penalty in an amount not less than one hundred dollars
27 (\$100) nor greater than one thousand dollars (\$1,000), pursuant to Cal. Civil Code § 1788.30(h).

28 23. As a result of Defendants' violations of the RFDCPA, Plaintiff is entitled to

1 an award of statutory damages pursuant to 15 U.S.C. § 1692k(a)(2)(A), as incorporated by Cal. Civil
2 Code §1788.17.

3 24. As a result of Defendants' violations of the RFDCPA, Plaintiff is entitled to
4 an award of her reasonable attorney's fees and costs pursuant to Cal. Civil Code § 1788.30(c) and
5 15 U.S.C. § 1692k(a)(3), as incorporated by Cal. Civil Code §1788.17.

6. 25. Pursuant to Cal. Civil Code § 1788.32, the remedies provided under the
7. RFDCPA are intended to be cumulative and in addition to any other procedures, rights or remedies
8. that the Plaintiff may have under any other provision of law.

PRAYER FOR RELIEF

10 Plaintiff requests that this Court:

- a. Assume jurisdiction in this proceeding;
 - b. Declare that Defendants' collection letter attached hereto as Exhibit "1" violates the Rosenthal Fair Debt Collection Practices Act, Cal. Civil Code § 1788 *et seq.*, and Cal. Civil Code § 1812.700(a).
 - c. Award Plaintiff a statutory penalty in an amount not less than \$100 nor greater than \$1,000, pursuant to Cal. Civil Code § 1788.30(b);
 - d. Award Plaintiff statutory damages in an amount not exceeding \$1,000, pursuant to 15 U.S.C. § 1692k(a)(2)(A), as incorporated by Cal. Civil Code §1788.17;
 - e. Award Plaintiff the costs of this action and reasonable attorneys fees, pursuant to Cal. Civil Code § 1788.30(c) and 15 U.S.C. § 1692k(a)(3), as incorporated by Cal. Civil Code §1788.17; and
 - f. Award Plaintiff such other and further relief as may be just and proper.

CONSUMER LAW CENTER, INC.

PVH

Fred W. Schwinn, Esq.
Attorney for Plaintiff
RAMONA PATRICIA CARDON

1. Department 4121
PO Box 1259
Oaks PA 19456



SIMM ASSOCIATES, INC.

800 PENCADER DRIVE
NEWARK DE 19702
(302) 283-2800 - (800) 884-6033

Account #: 2456528	Balance: \$853.87
-----------------------	----------------------

3982-345

S-ONSIMM10 L-49 A-4120813080020143
P0088000700001 I00001
RAMONA CARDON
899 LENZEN AVE APT 314
SAN JOSE CA 95126-2750

SIMM ASSOCIATES, INC.
P.O. BOX 7526
NEWARK DE 19714-7526

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Opt-Out Notice (See back for details)

Detach Upper Portion And Return With Payment

July 18, 2007

CLIENT: MERRICK BANK
BALANCE: \$853.87
ACCOUNT #: 4120613060020143

Dear RAMONA CARDON,

Our client is now taking the necessary steps to recover the outstanding amount of \$853.87. They have retained us to review your account and commence collection activity.

Enclose your payment in the envelope provided and make your check or money order payable to SIMM Associates, Inc. If you need to pay the above amount in monthly installments, call our office to make suitable arrangements.

This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume the debt is valid. If you notify this office in writing 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Sincerely,

Jeffrey S. Simendinger

**Jeffrey S. Simandinger
Vice President
(800) 864-6033 ext. 512**



PLEASE: To ensure proper credit remit payment directly to our office only.

Remit to:

SIMM Associates, Inc.

P.O. Box 7526

Newark, DE 19714-7526

Payments can be made via credit card or bankdraft at:
WWW.SIMMASSOCIATES.COM/PAYMENT.HTM

Opt-out Notice Description: Checks received in our office may be electronically processed. This is a more secure process for our customers in that the check information cannot be seen by anyone after the payment is electronically converted. You may elect to not have your check processed electronically by checking the box provided on the front of this stub.

COLORADO RESIDENTS:

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE www.ago.state.co.us/CADC/CADCmain.cfm.

MINNESOTA RESIDENTS:

This collection agency is licensed by the Minnesota Department of Commerce.

NEW YORK CITY RESIDENTS:

New York City Department of Consumer Affairs, license number 1135923.

MASSACHUSETTS RESIDENTS:

Notice of important rights

You have the right to make a written or oral request that telephone calls regarding your debt not to be made to you at your place of employment. Any such oral request will be valid for only ten days unless you provide written confirmation of the request postmarked and delivered within seven days of such request. You may terminate this request by writing to the collection agency.

If you wish to discuss this matter, please call us direct, between the hours of 8:00 am and 5 pm EST, at the telephone number listed on the front of this notice. Local address: 15 Union Street, Lawrence MA 01840. Office hours are: Mon-Thurs: 8 am - 8 pm, Fri: 8 am - 5 pm, Sat: 8 am - 12 pm EST.

TENNESSEE:

This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance.

MAINE Hours of operation:

Mon-Thurs: 8am - 10pm, Fri: 8am - 4pm, Sat: 8am - 12 pm EST.

NORTH CAROLINA:

North Carolina Department of Insurance, permit number 3947.

WISCONSIN:

This collection agency is licensed by the Office of the Administrator of the Division of Banking, P.O.Box 7876, Madison, Wisconsin 53707

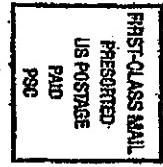
SONGMAINTL,4A A412001080000148
PO088000700001100001
RAMONA CARDON
893 LENZEN AVE APT 314
SAN JOSE CA 95126-2750

3982-145

Department 4121
PO Box 1259
Oaks PA 19456



FIRST-CLASS



(JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

RAMONA PATRICIA CARDON

DEFENDANTS

SIMM ASSOCIATES, INC. a Delaware corporation, and DEFENDANT DOES 1 through 10

RS

E-filing

(b) County of Residence of First Listed Plaintiff Santa Clara
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
OF LAND INVOLVED.

Attorneys (If Known)

Kimberly E. Lewellen - 243663

ELLIS, COLEMAN, POIRIER, LAVOIE, & STEINHIMER LLP
555 University Avenue, Suite 200 East
Sacramento, CA 95825

Tel: (916) 283-8820 Fax: (916) 283-882

(c) Attorney's (Firm Name, Address, and Telephone Number)

Fred W. Schwinn - 225575

CONSUMER LAW CENTER, INC.
12 South First Street, Suite 1014
San Jose, CA 95113-2418
Tel: (408) 294-6100 Fax: (408) 294-6190**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- | | |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES
(For Diversity Cases Only)

PTF	DEF	PTF	DEF
<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4
<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 510 Selective Service	<input type="checkbox"/> 550 Securities/Commodities/ Exchange
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Product Damage	<input type="checkbox"/> 562 Customer Challenge	<input type="checkbox"/> 575 Environmental Matters
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personal Product Liability	<input type="checkbox"/> 583 DIWC/DIWW (405(g))	<input type="checkbox"/> 584 Energy Allocation Act
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 510 Motion to Vacate Sentence	<input type="checkbox"/> 585 Freedom of Information Act	<input type="checkbox"/> 592 Economic Stabilization Act
<input type="checkbox"/> 180 Other Contract	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 520 Labor/Mgmt. Relations	<input type="checkbox"/> 586 RSI (405(g))	<input type="checkbox"/> 593 Environmental Protection Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 587 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 594 Energy Allocation Act
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 588 Other Labor Litigation	<input type="checkbox"/> 595 Freedom of Information Act
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 591 Emp. Ret. Inc. Security Act	<input type="checkbox"/> 596 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 592 Multidistrict Litigation	<input type="checkbox"/> 597 Constitutionality of State Statutes
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 598 Appeal to District Judge from Magistrate Judgment	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 440 Other Civil Rights			
<input type="checkbox"/> 245 Tort Product Liability				
<input type="checkbox"/> 290 All Other Real Property				
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motion to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 520 Labor/Mgmt. Relations	<input type="checkbox"/> 720 Labor/Mgmt. Reporting & Disclosure Act	
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 750 Other Labor Litigation	
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 791 Emp. Ret. Inc. Security Act	
	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition		
V. ORIGIN	(Place an "X" in One Box Only)			
<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)
				<input type="checkbox"/> 6 Multidistrict Litigation
				<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq.

Brief description of cause:

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION DEMAND \$ not exceed \$10000 CHECK YES only if demanded in complaint:
UNDER F.R.C.P. 23 JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE

DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

April 23, 2008

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFFP JUDGE MAG. JUDGE

NDC-JS44

008-2130-PBS

BY FAX